

State of Ohio)
) ss
County of Stark)

AFFIDAVIT

Before me, A Notary Public, in and for said county and state personally appeared Sue S. Roberts duly sworn by me deposes and states:

1. I am employed by The Hoover Company as a Manufacturing Engineer.
2. During the period of April, 2003 to June, 2003 I was responsible for the development of a manufacturing process for mass producing a disposable filtration bag made from a composite sheet comprised of a layer of expanded polytetrafluoroethylene and a substrate layer that would filter particles according to the HEPA standard of 99.97% of particles 0.3 microns or great for a flow speed of 60 cubic feet per minute for a floor care appliance.
3. Samples of the disposable filtration bag from the production line were submitted for testing to a third party laboratory which confirmed on June 13, 2002 (Exhibit A) and June 21, 2002 (Exhibit B) that the disposable filtration bag filtered 99.97% of all particulate matter 0.3 microns or larger at 60 cfm at a face speed of 17 fpm which are standard operating conditions for a floor care appliance.
4. Further affiant sayeth not.

Dated this _____ day of September, 2003.

Sue S. Roberts

Sworn to before me and signed in my presence this _____ day of September, 2003.

Notary Public

State of Ohio)
) ss
County of Stark)

AFFIDAVIT

Before me, A Notary Public, in and for said county and state personally appeared Jackson W. Wegelin who being duly sworn by me deposes and states:

1. I am employed by The Hoover Company as a Staff Engineer in the Research Department.
2. During the period of November, 2001 and June, 2002 I was responsible for the development and testing of a disposable filtration bag made from a composite sheet comprised of a layer of expanded polytetrafluoroethylene and a substrate layer and a manufacturing process therefor. Such a bag was first conceived of no later than February 10, 1998.
3. A disposable filtration bag made from a composite sheet comprised of a layer of expanded polytetrafluoroethylene and a substrate layer was developed and a manufacturing process therefor for producing the aforesaid filtration bag in mass quantities and by automated means was developed.
4. Samples of the disposable filtration bag from the production line were submitted for testing to a third party laboratory which confirmed on June 13, 2002 (Exhibit A) and June 21, 2002 (Exhibit B) that the disposable filtration bag filtered 99.97% of all particulate matter 0.3 microns or larger at 60 cfm at a face speed of 17 fpm which are standard operating conditions for a floor care appliance.
5. Samples were submitted to a third party laboratory for testing of a Vacuum Cleaner bag made by 3M, which could include the one shown in Exhibit C (purchased in 1999), which claims the HEPA rating of filtering 99.97% of all particulate matter 0.3 microns at 60 cfm to a third party laboratory to test the veracity of 3M's claim. The test results are attached hereto as Exhibit D. The samples submitted did not achieve this rating. The 3M filtration bag did not achieve these results until June 23, 2002 (Exhibit E).
6. I have reviewed the HEPA claim on the Kirby Micron Magic Vacuum Cleaner Bag (Exhibit F) and do not believe that this claim is accurate. The claim is based upon a European standard H10 per EN 1822 (Exhibit G) which requires only that 85% of particulate matter be filtered.

7. A sample of a filtration bag made by Homecare Industries at the request of The Hoover Company to provide a filtration bag with a HEPA rating after conception by employees of The Hoover Company was submitted to a third party laboratory for testing. The sample submitted did not achieve the HEPA rating (Exhibit D).
8. Further affiant sayeth not.

Dated this _____ day of September, 2003.

Jackson W. Wegelin

Sworn to before me and signed in my presence this _____ day of September, 2003.

Notary Public